

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

JOSEPH W. MAY
ADC #100355

PLAINTIFF

V. NO: 1:13CV00113 JM

JOHN MAPLES, JR. *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion for summary judgment filed by Defendants Alfredo Ant'e, Paul Burnside, Chad Davis, Calvin Ford, Antonio Garcia, John Maples, Jr., and Trevor Stevenson (docket entry #56) is GRANTED, and Plaintiff's complaint is DISMISSED.

2. Plaintiff's complaint is DISMISSED WITH PREJUDICE with respect to his claims against Defendants Ant'e, Burnside, Davis, Ford, Garcia, Maples, Stevenson, and Jeffrey Rizer, and DISMISSED WITHOUT PREJUDICE in all other respects.

3. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 1st day of December, 2014.



UNITED STATES DISTRICT JUDGE